

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

GLOBAL REFINING GROUP, INC.,
and ALPHA RECYCLING, INC.,

Plaintiffs,

vs.

SAVAGE SOFTWARE CORP.,
JOSEPH PETTI, REBEL MEAD,
KANECT RECYCLING, LLC, and
JOHN DOES 1-50,

Defendants.

Civil Action No.: 1:23-cv-01331-ER

**~~PROPOSED~~
CONSENT DECREE**

Pursuant to the terms of their confidential settlement agreement, Plaintiff Global Refining Group, Inc. and Alpha Recycling, Inc. (“Plaintiffs”) and Defendant Savage Software Corp. and Joseph Petti (“Defendants”) (collectively, the “Parties”) respectfully request that this Court enter the following Proposed Consent Decree:

1. On February 16, 2023, Plaintiffs filed their Complaint against Defendants, alleging trade secret misappropriation (DTSA, 18 U.S.C. § 1832, et seq.), breach of contract, removal and alteration of copyright management (DMCA, 17 U.S.C. § 1202).
2. On May 8, 2023, Defendants filed their Answer to the Complaint, denying liability to Plaintiffs.
3. On June 1, 2023, Plaintiffs filed their Amended Complaint against Defendants with the same counts.
4. On June 14, 2023, Defendants filed their Answer to the Amended Complaint, denying liability to Plaintiffs.
5. On August 13, 2024, the Parties conducted a settlement conference with Magistrate Judge Gorenstein and reach a confidential agreement to settle their claims.

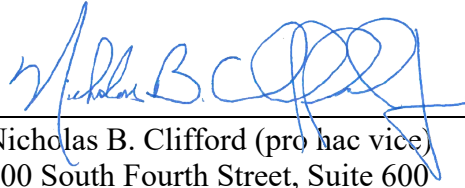
6. As part of the settlement and without admitting any liability on the claims asserted by Plaintiffs, Defendants hereby agree they will not use any data or images belonging to Defendants as defined herein. For purposes of this Consent Decree, “data” means the information and/or data identified in Plaintiffs’ Supplemental Response to Defendants’ Interrogatory No. 1, served by Plaintiffs on May 16, 2024, as well as the referenced Declaration of Iga Wolotowski, both of which shall be filed separately with this Consent Decree under seal. For purposes of this Consent Decree, “images” means the “Infringed Photos” as that term is used in the First Amended Complaint (the “Complaint,” Dkt. # 38) and/or any and all images that bore or bear the “GRG” prefix as referenced in the Complaint. Except as may otherwise be provided for by the Settlement Agreement, Defendants are restricted from providing, sharing, reverse engineering, distributing the data and photos, as defined in this paragraph, and/or from facilitating others in doing so.

7. The parties hereby agree that, notwithstanding the restrictions in the Court’s Protective Order (Dkt. #86), Defendants (who agree to be bound by the restrictions in the Court’s Protective Order) may have access to Plaintiffs’ Supplemental Response to Defendants’ Interrogatory No. 1, served by Plaintiffs on May 16, 2024, as well as the Declaration of Iga Wolotowski, solely for purposes of maintaining compliance with this Consent Order. Defendants may not provide access to or copies of these documents to any other persons or entities.

Dated: October 16, 2024

Respectfully submitted,

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*Attorneys for Defendants Savage Software
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Dated: Oct. 16, 2024

Respectfully submitted,

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Attorneys for Plaintiffs

Dated: October 17, 2024
New York, New York

SO ORDERED:


Edgardo Ramos, U.S.D.J.